

ASSIGNED

52115

AMENDED

Serial No.

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

-- MAY 18 1988 -- NEW PRIORITY DATE: FEB 12 1996

Date of filing in State Engineer's Office.....

JUN 06 1988

Returned to applicant for correction.....

Corrected application filed AUG 03 1988Map filed AUG 03 1988 under 52103The applicant H. H. Land & Cattle Company Jay Hunt

P.O. Box 32

Street and No. or P.O. Box No.

of Enterprise

City or Town

Utah 84725

State and Zip Code No.

hereby make.... application for permission to change the

Place of use and point of diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under permit 8921, certificate 1700

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Abandoned Spring

Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.0016 c.f.s

Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for 50 head of cattle

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for 50 head of cattle

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, T. 5 South

Describe as being within a 40-acre subdivision of public survey and by course and

R. 65 E., (unsurveyed) M.D.B. & M. from which the SE corner of Section 25, T. 5 S.,
distance to a section corner. If on unsurveyed land, it should be stated.R. 64 E., bears S. 49°15' W., 11,200 feet.6. The existing permitted point of diversion is located within (recorded as) SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, T. 5

If point of diversion is not changed, do not answer

South R. 64 E., M.D.B. & M. unsurveyed, or at a point which bears S. 17°00' E
21,120 feet from the SE corner of T. 4 South 63 E. M.D.B. & M.7. Proposed place of use See attached #7

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use location in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20 T. 5 S., R. 64 E., M.D.B. & M.

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.

Month and Day

Month and Day

10. Use was permitted from January 1 to December 31 of each year.

Month and Day

Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) collected by tunnel 20 feet deep- proposed

State manner in which water is to be diverted, i.e., diversion structure, ditches,

horizontal well when needed 1 $\frac{1}{2}$ pipeline which will provide water for one trough or
pipes and flumes, or drilled well, etc.

tank.

12. Estimated cost of works existing13. Estimated time required to construct works existing

14. Estimated time required to complete the application of water to beneficial use. 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

* 9. Time of use is hereby identified. Year round use needed to accomodate rotated grazing use required by grazing permit. It is a year round allotment used at a different time each year. There are no other owners and no other livestock utilizing this source. This application also serves to correct the recorded point of diversion.

See attached #15

By /s/ Richard E. Fonger
Richard E. Fonger
P.O. Box 491
Ely, Nevada 89301

Compared kh/ jm pm/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of Abandoned Spring as heretofore granted under Permit 8921, Certificate 1700 is issued subject to the terms and conditions imposed in said Permit 8921, Certificate 1700 and with the understanding that no other rights on the source will be affected by the change proposed herein. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

The total combined duty of water under Permits 52103 through 52118 inclusive and 52366 shall not exceed sufficient water for 900 head of cattle.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0016 cubic feet per second or sufficient to water 50 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before May 17, 1991

Proof of completion of work shall be filed before June 17, 1991

Application of water to beneficial use shall be made on or before May 17, 1993

Proof of the application of water to beneficial use shall be filed on or before June 17, 1993

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed AUG 2 2 1991

Proof of beneficial use filed SEP 2 2 1997

Cultural map filed _____

IN TESTIMONY WHEREOF, I, PETER G. MORROS,
 State Engineer of Nevada, have hereunto set my hand and the seal of my
 office, this 17th day of May,

Certificate No. 14739

Issued OCT 21 1997

D. 19 89

CANCELLED JAN 05 1996 BECAUSE OF FAILURE
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

State Engineer

ITEM NO. 7

Township 2 South R. 63 E. Portions of Sections 11, 12, 15; Sections 13, 22 thru 26, 35, 36 (unsurveyed).
 Township 2 South, R. 64 E.: Portions of Sections 7, 8, & 9; Portion of Sections 15, 22, 23, 25, & 26; Sections 16 thru 21, 27 thru 36.
 Township 2 South R. 65 E. Section 31, portion of Sections 29, 30, 32, & 33.
 Township 3 South R. 63 E. Sections 1, 2, 11 thru 14, 12 thru 26, 35 & 36.
 Township 3 South R. 64 E. ALL
 Township 3 South R. 65 E. Sections 4 thru 9, 16 thru 21, 28 thru 33.
 Township 4 South R. 63 E. Sections 1, 2, 11 thru 14, 23 thru 26, 35, 36.
 Township 4 South R. 64 E. ALL
 Township 4 South R. 65 E. Sections 4 thru 9, W. $\frac{1}{2}$ of 10, 17 thru 21, 28 thru 33.
 Township 5 South R. 63 East Sections 1, 2, 11 thru 14, 23 thru 27 & 34 thru 36.
 Township 5 South R. 64 E. ALL SECTIONS
 Township 5 South R. 65 E. Sections 5 thru 8, 17 thru 20, 29 thru 32.
 Township 6 South R. 63 E. Sections 1 portions of 2, 3, 11 and 12.
 Township 6 South R. 64 E. Sections 1 thru 6, portions of 7 thru 11 & 12.
 Township 6 South R. 65 E. Sections 5 thru 8, 17, 18, 20.

Township 2 South R. 63 E. Section 14 (portion)
 Township 2 South R. 64 E. Section 10 (portion)

All in M.D.B. & M.

ITEM NO. 15

The following sources of water are to be comingled:

Conaway Springs (Pace Spring) Permit No. 6095, Certificate No. 1054;
 Rabbit Spring Proof NO. 01549;
 Cliff Spring Permit No. 780, Certificate No. 566
 Dana Spring Permit No. 4972, Certificate No. 734;
 Oak Spring Proof No. 01027;
 Cyclone Spring Permit No. 780, Certificate No. 566;
 Redrock Spring Permit No. 780, Certificate No. 566;
 Canyon Spring No. 1 Permit No. 4697, Certificate No. 733;
 Canyon Spring No. 2 Permit No. 4696, Certificate NO. 732;
 Grassy Spring Proof 01027, Permit No. 10189, Certificate NO. 2403;
 Cottonwood Spring Permit No. 3270 Certificate No. 269;
 Robinson Seeps Proof No. 01398;
 Abandoned Spring Permit No. 8921, Certificate No. 1700;
 Jensen Spring- Being applied for;
 Horn Spring Permit No. 11378, Certificate No. 4047;
 Joshua Spring Permit being applied for;
 Tunnel Spring No. 1 (undivided $\frac{1}{4}$ interest) Permit No. 12388, Certificate No. 4085.

